

1 William H. Gamage, Esq.
2 Nevada Bar No. 9024
3 GAMAGE & GAMAGE
4 5580 South Fort Apache Street, Suite 110
5 Las Vegas, Nevada 89148
6 PH: (702) 386-9529
7 FX: (702) 382-9529
8 *Attorney for Defendant Eugeni Stoytchev*

5 **UNITED STATES DISTRICT COURT**
6

7 **DISTRICT OF NEVADA**

8 **UNITED STATES OF AMERICA**

9 Plaintiff,

10 vs.

11 EUGENI STOYTCHEV, et al.

12 Defendant.

CASE NO.: 2:11-CR-00434-LDG-GWF

13 **JOINDER IN MOTION TO CONTINUE**
14 **(Dkt. No. 319) (FIRST REQUEST)**

15 **COMES NOW**, Defendant EUGENI STOYTCHEV (hereinafter “STOYTCHEV”) by
16 and through counsel of record William H. Gamage, Esq. of Gamage & Gamage and hereby joins
17 in Co-Defendant MICHAEL VALES’ Motion to C ontinue Trial (Dkt. No. 319) in the above
18 titled matter. This Motion is m ade and based upon all papers and pleadings on file herein, the
19 attached Memorandum of Points and Author ities, along with any oral argum ent deemed
20 necessary by this Honorable Court.

21 DATED THIS 17th day of December, 2012.

22 **GAMAGE & GAMAGE**

23 **/s/ William H Gamage, Esq.**

24

25 W
26 Nevada

27 William H. Gamage, Esq.
28 Bar No. 9024
5580 South Fort Apache Street, Suite 110
Las Vegas, Nevada 89148
PH: (702) 386-9529
FX: (702) 382-9529
Attorney for Defendant Eugeni Stoytchev

MEMORANDUM OF POINTS AND AUTHORITIES

Defendant STOYTCHEV hereby requests that his trial be continued; adopts the points and authorities submitted by Co-Defendant MICHAEL VALES in his Motion to Continue Trial; and offers the following additional information:

1. Counsel for STOYTACHEV was appointed to represent this Defendant on or about November 27, 2012 as prior CJA appointed counsel was deployed as an army reservist to Afghanistan. Consequently, prior counsel is not available to assist current counsel in getting up to speed on the nature of his prior investigation of the facts and circumstances surrounding the government's allegations against STOYTACHEV.

2. Between November 27, 2012 and today, counsel has had an opportunity to interview his client and to complete a cursory review of several discs containing discovery information. Additionally, counsel has reviewed discovery information made available in an online format. Thousands of documents have been produced by the Government in support of their case.

3. It does not appear that prior counsel retained any computer forensic expert or an investigator in support of the defense. Counsel likely will need these services regarding this matter.

4. This matter has been deemed 'complex' for purposes of discovery. Consequently, counsel for STOYTACHEV needs substantial additional time to appropriately prepare a defense in this matter in order to provide effective representation.

111

111

111

111

5. Defendant EUGENI STOYTCHEV is out of custody, has consented to the filing of this Joinder, and does not object to a continuance in this matter.

DATED THIS 17th day of December, 2012.

GAMAGE & GAMAGE

/s/ William H Gamage, Esq.

W illiam H. Gamage, Esq.
Nevada Bar No. 9024
5580 South Fort Apache Street, Suite 110
Las Vegas, Nevada 89148
PH: (702) 386-9529
FX: (702) 382-9529
Attorney for Defendant Eugeni Stoytchev

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing **JOINDER IN MOTION TO CONTINUE** (**Dkt. No. 319**) (**FIRST REQUEST**) was served via the Court's electronic filing system on all counsel registered to this case.

/S/

William H. Gamage

EMPLOYEE

OF GAMAGE & GAMAGE

ORDER

IT IS SO ORDERED

DATED this 14th day of December, 2012.

Lloyd D. George
Sr. U.S. District Judge